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Attorneys for Real Party in Interest
PRUDENCE WALTZ

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

In Re: Case No. 08-13555 JMP
LEHMAN BROTHERS' HOLDING, Chapter 11
INC., a Delaware Corporation [jointly administered]
Debtor

PROPOSED

ORDER ABSTAINING FROM FURTHER PROCEEDINGS RELATING TO THE REAL PROPERTY AT 844-846 WEST 57TH STREET, LOS ANGELES, CALIFORNIA AND CLARIFYING THE ORDER PREVIOUSLY ENTERED MODIFYING THE AUTOMATIC STAY WITH REFERENCE TO ACTION BC 374163 NOW PENDING IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

[28 U.S.C. § 1334(c)(2) and Bankruptcy Code §§ 362(d) & 362(e)]

The Court having read and considered the motion filed by PRUDENCE WALTZ

pursuant to 28 U.S.C. § 1334(c)(2) and Sections 362(d) and 362(e) of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 4001 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and having determined that:

- (a) The Automatic Stay in this Case was modified by order entered herein on December 22, 2010 to allow action BC374163 to proceed in THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES; and

(b) All of the issues raised by PRUDENCE WALTZ in the property which is the subject matter of action BC374163 now pending in THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES are subject to mandatory abstention under the provisions of 28 U.S.C. § 1334(c)(2);

NOW THEREFORE it is ordered, adjudged and decreed that from and after the entry of this order this Court shall abstain from taking any further action which either interferes with or delays the exercise of the State Court's jurisdiction in action BC374163 now pending in THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES to adjudicate the claims by PRUDENCE WALTZ to remove any cloud against her title and recover possession of that certain real property commonly known as 844-846 West 57th Street, Los Angeles, California 90037-3628 [Los Angeles County Assessor's Parcel No. 5001-014-01 which is hereinafter referred to as "THE SUBJECT PROPERTY"] which is more fully described as follows:

The North 113.25 feet of Lot 382 or Burck's Golden Tract, in the City of Los Angeles, County of Los Angeles as per map recorded in Book 10, Page 26 of Maps in the office of the County Records of said County. .

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the adjudication of the claims brought by PRUDENCE WALTZ in action BC374163 in THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES the state court in the trial currently scheduled to commence on June 7, 2011 may proceed to adjudicate each of the following issues based upon the order previously entered herein on December 22, 2011:

- (a) Directing the return of possession of THE SUBJECT PROPERTY to whatever party it determines is the rightful owner and entitled to possession of property under the laws of the State of California;
- (b) Determining whether the Trustee which executed a trustees deed to AURORA LOAN SERVICES on June 29, 2007 [recorded as instrument No. 20071599432 in the official records of Los Angeles County, California on July 7, 2007] had the authority to execute the deed;
- (c) Determining whether the trustee's deed recorded as instrument No. 20071599432 in the official records of Los Angeles County, California on July 7, 2007 was void under under the laws of the State of California;
- (d) Determining whether the deed of trust recorded as instrument No. 06-1878371 in the official records of Los Angeles County, California on August 23, 2006 was executed by a trustor who had the authority to encumber THE SUBJECT PROPERTY;
- (e) Determining whether the deed of trust recorded as instrument No. 06-1878371 in the official records of Los Angeles County, California on August 23, 2006 was void under under the laws of the State of California; and
- (f) Assessing monetary relief against DEFENDANT AURORA LOAN SERVICES and any other party other than a debtor named in this Case.

Dated: New York, New York

May ___, 2010

UNITED STATES BANKRUPTCY JUDGE

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of LOS ANGELES, State of CALIFORNIA. I am over the age of 18 and not a party to the within action; my business address is 5228 Campo Road, Woodland Hills, California 91364-1927.

On April 7, 2011 I served the following document(s) described as PROPOSED ORDER ABSTAINING FROM FURTHER PROCEEDINGS RELATING TO THE REAL PROPERTY AT 844-846 WEST 57TH STREET, LOS ANGELES, CALIFORNIA AND CLARIFYING THE ORDER PREVIOUSLY ENTERED MODIFYING THE AUTOMATIC STAY WITH REFERENCE TO ACTION BC 374163 NOW PENDING IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES on the interested parties by placing a true copy thereof enclosed in a sealed envelope with postage fully prepaid addressed to:

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Jacqueline Marcus, Esq.

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THE UNITED STATES BANKRUPTCY COURT

Southern District of New York

Courtroom 601

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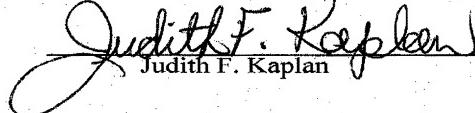
Los Angeles, California 90008

I am "readily familiar" with the firms practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Woodland Hills, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in set forth in this affidavit.

I am employed in THE LAW OFFICES OF JEROME ZAMOS in Woodland Hills, California at whose direction service was made.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed April 7, 2011 at Woodland Hills, California.



Judith F. Kaplan